

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

**'08 MJ 8478**

UNITED STATES OF AMERICA,  
Plaintiff,

v.

Adolfo OSUNA Hernandez.

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

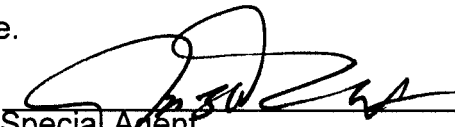
21 U.S.C. § 952 and 960

Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

That on or about May 27, 2008, within the Southern District of California, defendant Adolfo OSUNA-Hernandez. did knowingly and intentionally import approximately 82.34 kilograms (181.14 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Special Agent  
U.S. Immigration & Customs  
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 28<sup>th</sup>  
DAY OF MAY 2008.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Adolfo OSUNA-Hernandez.

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents, and notes  
6 furnished to U. S. Immigration and Customs Enforcement Special Agent Joe  
7 Morquecho.

8 On May 27, 2008, at approximately 0645 hours, Adolfo OSUNA-Hernandez.  
9 entered the United States at the Calexico, California, West Port of Entry. OSUNA was  
10 the driver of 1996 Dodge Ram.

11 Customs Border Protection Officer Morse received a negative oral Customs  
12 Declaration from OSUNA. OSUNA stated he was on his way to work and did not own  
13 the vehicle. Officer Morse noticed OSUNA appeared to be overly friendly during the  
14 inspection. Officer Morse noticed what appeared to be a depth discrepancy in the  
15 camper shell on the bed of the vehicle. Officer Morse escorted OSUNA and the vehicle  
16 to the vehicle secondary lot.

17 In the vehicle secondary lot, Officer Farrier received a negative oral Customs  
18 declaration from OSUNA. OSUNA stated the vehicle belonged to a friend, but could  
19 not give Officer Farrier his name. Canine Enforcement Officer (CEO) Alba screened  
20 the vehicle for contraband with his assigned Human Narcotic Detector Dog (HNDD).  
21 CEO Alba noted his HNDD alerted to the vehicle.

22 A subsequent inspection of the vehicle revealed sixty (60) packages in the roof  
23 of the camper shell and spare tire of the vehicle. Officer Farrier probed one of the  
24 packages and a sample of a green leafy substance was obtained, which field tested  
25 positive for marijuana. The sixty packages had a combined net weight of approximately  
26 82.34 kilograms (181.14 pounds) of marijuana.